

**BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS  
MINUTES – June 22, 2004  
COVER PAGE**

**BOARD NAME:** BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS

**DATE:** JUNE 22, 2004 **ROOM:** CENTRAL CONFERENCE ROOM

**LOCATION:** DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

<b>TIME</b>	<b>TIME CALLED</b>	
<b>SCHEDULED:</b> 8:30 A.M.	<b>TO ORDER:</b> 8:48 A.M.	<b>ADJOURN:</b> 2:10 P.M.

**CHAIRMAN:** MICHAEL SACKETT

**SECRETARY:** DEIRDRA PERRY

**BOARD CLERK:** SUSAN GREENLAW

**MEMBERS PRESENT:** MICHAEL SACKETT, ELWOOD ELLIS, EDGAR CATLIN III, DAVID TITCOMB

**MEMBERS ABSENT:** DEIRDRA PERRY, JOHN ROBERTS

**OTHERS PRESENT:** CAROL LEIGHTON, ADMINISTRATOR; DENNIS SMITH, ASSISTANT ATTORNEY GENERAL; KIM BAKER-STETSON, LICENSING CLERK; SUSAN GREENLAW, BOARD CLERK

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**MINUTES – June 22, 2004**

**CALL TO ORDER**

The meeting was called to order at 8:48 a.m.

**AGENDA MODIFICATIONS**

**OLD BUSINESS**

Action on Minutes of April 27, 2004 Meeting

Amend page 3, paragraph 2 under #LS-181 to read: “A motion was made by Edgar Catlin and seconded by Elwood Ellis to have the Complaint Officer investigate this matter and determine the appropriateness of filing a complaint against the licensed surveyor.” A motion was made by Elwood Ellis to approve the minutes of the February 24, 2004 meeting as amended; seconded by Edgar Catlin. Unanimous.

**NEW BUSINESS**

Administrator's Report

The Director introduced Marilyn Lugner as new staff member replacing Laurel Grady.

Exam scorer and NCEES contracts have been mailed to each of the vendors.

The Department has set the deadline for proposed legislation for August 1, 2004, deadline for Commissioner's office is September 1, 2004, deadline for Governor's office is October 1, 2004.

A fee cap increase is being proposed by the Department.

Maine Society of Land Surveyors Concerns & Issues

Andrew Sturgeon met with the Board to discuss the following issues:

1. Right of Entry Law – discussed licensee's confusion about this law. Knud Hermansen held an educational session on the law and documentation is available.
2. Standards of Practice – there is mixed opinion from licensees regarding the current standards. The board is satisfied with their standards and suggested that MSLS develop their own.
3. Unlicensed Practice – Discussed Board's options and whether or not they are interested in gaining authority. AAG Dennis Smith indicated that these cases are investigated and prosecuted by local District Attorneys.
4. Continuing Education – This is a nationwide issue. There is a clearinghouse available, however, there is not 100% participation at this time.

Complaint Officer's Report

Nothing to report.

Adjudicatory Hearing - Eugene L. Putnam (Complaint #LS-186)

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The Chair opened the hearing in the matter of Eugene L. Putnam. Mr. Putnam was present and not represented by an attorney. Assistant Attorney General Dennis Smith represented the State in this matter. James Smith was present as Hearing Officer and Counsel for the Board. Public deliberations were conducted at the close of the hearing.

A motion was made by Edgar Catlin to find the licensee in violation of 32 MRSA §13909(3)(B) and Board Rules Chapter 90 Part 2 Sections 2, 3, and 6; seconded by David Titcomb. Unanimous.

A motion was made by David Titcomb to order the following: (1) Mr. Putnam's license shall be revoked for a period of 2 years; (2) Within 60 days, Mr. Putnam shall pay hearing costs not to exceed \$1,200.00; (3) Mr. Putnam may apply for relicensure at the end of his 2 year revocation upon successful completion of the Maine Specific Exam in its entirety provided that such licensure is permissible according to applicable statutes and rules; seconded by Elwood Ellis. Unanimous.

Review and Action on Applications

See attached table.

Board Reports

Scheduled Exam Committee meeting for Friday, July 9, 2004 at 12:00 p.m.

MSLS Report

Statute/Rules

Nothing to discuss.

Correspondence and Communications

NCEES Annual Meeting – Funded Delegate: A motion was made by David Titcomb to approve out of state travel for Elwood Ellis to attend the NCEES Annual Meeting scheduled for August 11-14, 2004 in Cleveland, Ohio; seconded by Michael Sackett. Unanimous.

Next Meeting Scheduled for August 17, 2004 at 8:30 a.m.

**OTHER BUSINESS**

**ADJOURN**

Being no further business, the meeting adjourned at 2:10 p.m.

Respectfully submitted,

Susan Greenlaw, Board Clerk

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**MINUTES – June 22, 2004**

Review and Action on Applications

A motion was made by David Titcomb to accept staff recommendations on the applications listed below; seconded by Elwood Ellis. Unanimous.

APPLICANT	TYPE	BY	EXAM/WORK EXPERIENCE	RECOMMENDATION
MASON, RICHARD	PLS LIC	VIA COMITY WITH CO & EXAM	TOOK PLS NCEES EXAM IN CO 1 <sup>ST</sup> LICENSE IN CO ALSO LIC IN AZ	OK PENDING VERIFICATION OF LIC AND NCEES EXAM FROM CO AND PASSAGE OF MAINE SPECIFIC EXAM (NEED EXAM FEE)
BURDETT, MARTIN	LSIT LIC	4 YR DEGREE CORE CURRICULUM AND EXAM	PASSED FUNDAMENTALS 10/2003 BSc IN GEOGRAPHY FROM UNIV COLLEGE, LONDON, ENGLAND AS IN APPLIED SCIENCE, ARCHITECTURAL & CIVIL ENGINEER FROM CMCC	OK – COMPLETION OF CORE CURRICULUM HAS BEEN MET
CLOUTIER, RYAN	LSIT LIC	4 YR DEGREE CORE CURRICULUM AND EXAM	PASSED FUNDAMENTALS 4/2003 EXPERIENCE NOT REQUIRED NO DEGREE, JUST COURSES – UVM BS MATH – ST. MICHAELS COLLEGE ADV SURVEYING – UMO BOUNDARY LAW – CMCC	OK BOUNDARY LAW & ADV SURVEY COURSES COMPLETE CORE CURRICULUM REQUIREMENTS
PASTORE, JOHN	LSIT LIC	2 YR DEGREE 2 YR EXP REQ CORE CURRICULUM EXAM	AS IN BUSINESS – CHAMPLAIN COLLEGE 2 YRS EXP WITH ISAIAH PLANTE TOOK FUNDAMENTALS 04/2004	NEEDS TO COMPLETE THE CORE CURRICULUM AND PASS EXAM
GALLANT, TIMOTHY	LSIT LIC	4 YR DEGREE NO EXP REQ CORE CURRICULUM EXAM	BS IN FORESTRY – UMO TOOK FUNDAMENTALS 04/2004	NEEDS TO COMPLETE THE CORE CURRICULUM AND PASS EXAM

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